



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12
1-13-04

In re the Application of

Toshimitsu MORITAKU et al.

Group Art Unit: 2622

Application No.: 09/559,313

Examiner: H. Safaipour

Filed: April 27, 2000

Docket No.: 105938

For: IMAGE READING APPARATUS

REQUEST FOR RECONSIDERATION

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DEC 30 2003
Technology Center 2600

Sir:

In reply to the June 20, 2003, Office Action, reconsideration is requested based on the following remarks.

Claims 1-13 are pending. Reconsideration in view of the following Remarks is respectfully requested.

I. THE CLAIMS DEFINE ALLOWABLE SUBJECT MATTER

The Office Action rejects claim 1 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication US 2002/0093697 to Spears et al.; and objects to claims 2 and 8 as being dependent upon a rejected base claim. The rejection of claim 1 is respectfully traversed.

Spears does not constitute prior art. Spears claims priority from Application No. 09/430,471 filed on February 9, 2001, which Spears is a Continuation thereof, and Application No. 09/430,471 filed on October 29, 1999, which Application No. 09/430,471 is a Continuation-in-Part thereof. However, the present application claims priority from Japanese Application No.

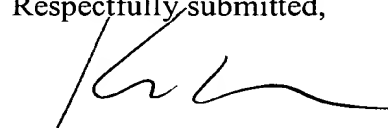
HEI 11-121607 filed April 28, 1999, and Japanese Application No. 2000-90792 filed March 29, 2000. A verified English translation of the priority documents are attached. Thus, Spears does not constitute prior art, and withdrawal of the rejection of claims 1 and the objection of claims 2 and 8 under 35 U.S.C. §102(e) is respectfully requested.

II. CONCLUSION

In view of the foregoing Remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Kevin M. McKinley
Registration No. 43,794

JAO:KMM/jth

Attachments:

Petition for Extension of Time
Verified English Translation of Priority Documents

Date: **December 22, 2003**

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--